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IN LAKE CHARLES, LA.

JUL -6 2012

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

TONY R. MOORE, CLERK
BY DEPUTY

UNITED STATES OF AMERICA

CRIMINAL CASE NO. 2:08CR00042-01

VERSUS

JUDGE MINALDI

ERICK DWAYNE SIMON

MAGISTRATE JUDGE KAY

CERTIFICATE OF APPEALABILITY

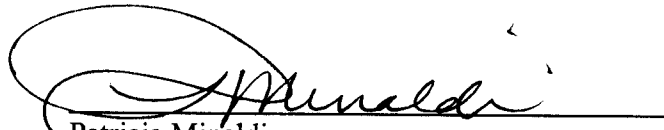
A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

☒ The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

☐ The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Lake Charles Louisiana, this 5 day of July, 2012.


Patricia Minaldi
UNITED STATES DISTRICT JUDGE